

Ford River Township Planning Commission
Regular Meeting Minutes
March 1, 2018

Meeting was called to Order at 7:00 pm by Chairman Nelson and the Pledge of Allegiance was recited.

Present: Dr. Kolinsky, Mrs. Jaeger, Mr. Nelson, Mr. Wellman, Mr. Lippens

Public Hearing

- Ten Acre Woods, LLC - Special Use permit

Mr. Nelson opened the hearing up to the public by asking Mr. Darryl Shann to give us some background and his intentions.

Kenneth Penoke wanted to make sure the board had received his written objection, which the board did receive.

Mr. Nelson responded to the letter from Mr. Penoke, stating there is a misprint in the ordinance. It says, section 3, which should be referred to as Article III. The issue of noise was brought up. Supervisor Fontaine stated that on her site visit, she had Mr. Shann run equipment, when she walked out to the edge by the river, she could not hear his equipment.

Mr. Nelson stated that he did get an opinion from MSU extension which handles zoning, regarding a similar complaint and they said that home occupation doesn't have to be specified, home occupation is actually a specification if they stick to the regulations in the ordinance.

Mr. Penoke stated that the ordinance says "it can be heard" Dr. Kolinsky said she can hear a lot a things, but it doesn't mean they are abusive; she can hear squirrels, she can hear her neighbors, it's part of living around people.

Don Jaeger, an adjoining neighbor, said he hears planes that fly over, semi's on the highway, the train every morning, chipmunks, birds; this used to be farming area, chainsaws, logging equipment, tractors, combines, tillers, there needs to be some understanding. If someone wants complete solitude the best place is probably Alaska, Northern Canada, or somewhere in the middle of no where.

Bill Erickson, lives next door to Mr. Penoke, across the river from Mr. Shann, said he is hard of hearing so he can't make a comment on if it is loud or not, but the noise doesn't bother him and he's the closest neighbor to Mr. Shann.

Frank Nelson, lives across the river on the other side, said he has no problem, he can't hear anything and has no problem with it.

Mr. Nelson asked Supervisor Fontaine if Mr. Shann had all required signatures needed. There were a few signatures in question, but all documentation was provided. All the proper signatures were recorded.

Mr. Lippens asked Mr. Shann if he was doing most of his work in the building. Mr. Shann stated he was and there was a concern about noise previously, but that issue has been resolved. Mr. Shann was made aware of this concern and resolved it

immediately.

Mr. Shann's diesel tractor was brought up again by Mr. Penoke, most of the residents as well as the board agreed that they had diesel tractors. Mr. Nelson stated that he also had one, and most of his neighbors probably have them that they use to move snow. Mr. Penoke agreed, but said they are not using them for business. He then stated the board has obviously made up their mind and that the board has been his representative since the beginning of this, that the board has had private conversations with Mr. Shann and told him how to get around the ordinance.

Mr. Nelson, stopped him and stated he has never had a private conversation with Mr. Shann, Dr. Kolinsky agreed, as did Mr. Lippens. Mr. Nelson stated that everything that has been said has been said at the meeting, he has never talked to him privately.

Bill Erickson stated he did have a problem with the sawdust, he did bring it up to Mr. Shann and the issue has been resolved. He also mentioned a concern of Mr. Shann cutting a lot of trees and him looking at his shop. He did mention Mr. Shann planting trees, which may also act as a sound barrier.

Voting on Section 604 General Standards Commenced.

Note: Mrs. Jaeger, an adjoining neighbor to Mr. Shann will be a non-voting member.

- A. Will be harmonious with and in accordance with the general objectives or with any specific objectives of the Comprehensive Development Plan;
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area;
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
Mr. Nelson stated he would vote yes, if trees are planted.
- C. Will not be hazardous or disturbing to existing or future neighboring uses;
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
- D. Will not diminish the value of land, buildings, or structures in the District and shall represent an improvement to the property under consideration and to the community as a whole;
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
- E. Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, or schools, and that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service;
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
- F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
- G. Will not involve uses, activities, processes, materials and equipment and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of noise, traffic, smoke, fumes, glare, or odors:
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.
- H. Will the location, nature and height of the proposed use be appropriate to the size,

type and kind of buildings, uses and structures in the vicinity and adjacent properties, including the safety and convenience of people there from.
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.

- I. Will be consistent with the intent and purpose of this Ordinance and shall be compatible with the natural environment, and shall protect the public health, safety and general welfare.
Motion Made to accept by Mr. Lippens, Seconded by Dr. Kolinsky. Unanimous Approval.

Motion was made by Mr. Wellman to approve permit, seconded by Mr. Lippens. Unanimous Approval.

Mr. Nelson pointed out that we need to make sure the permit says that he agreed to plant trees, it will be a condition on the permit to reduce visibility and noise.

Motion was made by Mr. Lippens to Close the hearing, seconded by Mr. Wellman. Unanimous Approval.

Public Comment on agenda items – None

Minutes

Planning Commission meeting minutes from February 1, 2018 were approved with a motion by Mr. Lippens, seconded by Mr. Wellman. Unanimous approval.

Permits

2/17/18: John Valiquette, RR, 2858 14th Rd. 009-226-009-00
30'x32' Pole Building, 6'x12' breezeway

Unfinished Business

Ponds - Nothing at this time.

New Business

- Breezy Point, 009-900-048-00
Jerry Fontaine, looking at putting in a woodfire pizza oven, it would be half in the building, half out, it would stick out approximately 3 feet. He stated they would still need to get approval from the health department, and insurance, if they can get approval from the township.

Motion made by Mr. Lippens to approve the plans, seconded by Mr. Wellman. Unanimous approval.

- Dan Weber - Special Use permit review
Dan Weber presented that the building would be for personal use, jet skis, boats, etc. The permit was previous approved, however they did not act on it. They are now looking at scaling down the building to 40' x 100'. The front yard set back will be 120' off the road, side yard will be 15', the closest home is an additional 30'. Colors will be set to blend in with surroundings. Motion was made by Dr. Kolinsky, to allow the permit to stay valid, seconded by Mr. Lippens. Unanimous Approval.
- ZBA and Planning Commission - Making Recommendations, Review Article X
The board will review Article X on page 83, of the ordinance. The planning commission does not have the authority to make recommendations to the zoning board.
- Storage Containers

Supervisor Fontaine is looking for the boards input on shipping containers, permanent vs temporary. The board felt a permit would be needed to to keep it as a permanent structure, a foundation should be required. Temporary would be considered anything under 12 months.

- Storage Unit, RP
Supervisor Fontaine was looking for help with interpretation on if the board felt a storage unit could be built in Resource Production. The board felt as though if it was for commercial use, it would not be allowed.
- Ordinance Review
Mr. Nelson brought a few errors that he had found in the ordinance, one relating to home occupation, Mr Fettig brought up changing home occupation two, to something else, the way public act 110 reads, is it an accessory use in the home? Is it permitted? Some areas use cottage industries.

In Article II, Section 202. #69, #70 both say refer to section 3, it should be Article III

The board also needs to look at Article II, Section 202. #69, #70 "Creates Noise" and maybe consider updating the Wireless section

The board will further discuss items as the next meeting and decide on priority

Annual Report

This will come off the agenda for now, the board will re-evaluate closer to the end of the year.

Communications- None

Public Comment on Non – Agenda Items

Mr. Fettig stated that Mr. Shann did an excellent job providing all the information necessary for his permit.

A motion to adjourn was made by Mr. Lippens, seconded by Dr. Kolinsky. Unanimous approval. Meeting was adjourned at 8:20 pm.

Parking Lot Items

Ordinance Review

There is a discrepancy between 406-E-2 and 421-D-4

A motion was made by Mr. Lippens, seconded by Mr. Wellman to use the wording in section 421, all support structures must be set back from all property lines a distance equal to its height. Unanimous approval.



5-3-18